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TO: **United States Patent and Trademark Office**
Office of Petitions, Mailstop Petitions
Fax: (571) 273-8300

FROM: **Sivon Kalminov**
c/o Canon U.S.A. Inc. Intellectual Property Division
5975 Alton Parkway, Irvine CA. 92618-3731
Facsimile:

DATE: 2/7/08
NO. OF PAGES: 7 (including cover page)

MESSAGE

Please see attached petition for Application No. 10/671364.

Regards,

Sivon Kalminov
Reg. No. 40,042
Attorney for Applicant

This facsimile message and accompanying documents are intended only for the use of the addressee indicated above. Information that is privileged or otherwise confidential may be contained therein. If you are not the intended recipient, you are hereby notified that any dissemination, review or use of this message, documents or information contained therein is strictly prohibited. If you have received this message in error, please notify us immediately by telephone or facsimile and mail the original to us at the above address. Thank you.

Attorney Docket No. CFA00010US

FEB 07 2008

PTO/SB/64 (01-08)

Approved for use through 02/29/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

CFA00010US

First named inventor: Atsushi DateApplication No.: 10/071,364Art Unit: 2852Filed: 9/24/2003Examiner: DHINGRA, PAWANDEEPTitle: Image-forming controller, Method thereof, Program,
and Storage Medium

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity - fee \$ 1,540⁰⁰ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Corrected Fig. 13 (identify type of reply):☐ has been filed previously on _____
☒ is enclosed herewith.B. The issue fee and publication fee (if applicable) of \$ 1,740⁰⁰☒ has been paid previously on 12/20/2007
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PTO/SB/84 (01-08)

Approved for use through 01/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

S. V. Kalminov
Signature

2/4/08
Date

Sivon Kalminov
Typed or printed name

40,042
Registration Number, if applicable

15975 Alton Pkway
Address

949-932-3329
Telephone Number

Irvine, Ca 92618
Address

Enclosures: ☒ Fee Payment - authorization to charge deposit acct 502456
☒ Reply
☐ Terminal Disclaimer Form
☒ Additional sheets containing statements establishing unintentional delay
☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

2/7/08
Date

Lori Armentrout
Signature
 Typed or printed name of person signing certificate

FEB 07 2008

PATENT
Attorney Docket: CFA00010US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Atsushi Date
of:

Application No.: 10/671364

Filed: 9/24/2003

For: IMAGE-FORMING
CONTROLLER, METHOD
THEREFOR, PROGRAM, AND
STORAGE MEDIUMConfirmation 1852
No.:Examiner: DHINGRA,
PAWANDEEP

Art Unit: 2852

Office of Petitions
Mailstop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Dear Sir / Madam:

In response to the Notice of Abandonment, mailed January 29, 2008, Applicant states that the failure to timely update Figure 13 per the Examiner's direction, i.e., adding prior art legend was an unintentional oversight.

Applicant respectfully petitions to revive unintentional abandonment and includes with this submission, Applicant's reply to the Examiner's Amendment in the Notice of Allowance mailed October 4, 2007, in the form of corrected drawing pages for Figure 13. Applicant also makes note that the issue fee payment was filed on December 20, 2007.

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PATENT
Attorney Docket: CFA00010US

The Commissioner is hereby authorized to deduct the petition fee of \$1,540.00 and any additional fees or credit any overpayments to Canon deposit account 502456.

Respectfully submitted,

2/7/08

Date



Sivan Kalminov, Reg. No. 40,042
Attorney for Applicant

Canon U.S.A. Inc., Intellectual Property Division
15975 Alton Parkway
Irvine, CA 92618-3731

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